



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 7, 1996

VIA FACSIMILE AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Benjamin L. Ginsberg, Esq.
Patton Boggs, L.L.P.
2550 M St., N.W.
Washington, D.C. 20037-1350

RE: MUR 3774
National Republican Senatorial Committee, and
Maureen Goodyear, as treasurer

Dear Mr. Ginsberg:

Our review of your clients' response to the Commission's Subpoena to Produce Documents and Order to Provide Written Answers in the above referenced matter has raised several questions requiring clarification or supplementation. Please review the following items, and provide this Office with the information requested no later than February 21, 1996 to ensure compliance with the Commission's Subpoena and Order.

As a general matter, you identify a number of individuals by name and sometimes by title (see, e.g., Questions 1 and 5). Pursuant to the subpoena/order instructions, please also provide the most recent business and residence addresses, telephone numbers and the present occupation or position of the persons identified in your responses. Also where not otherwise provided, provide the title or position for each NRSC employee identified in Question 5.

With respect to all interrogatories and subparts, please identify each person capable of furnishing testimony concerning the response, and each individual who provided information, documents or other input in accordance with the subpoena/order instructions.

Additionally, in several instances when responding to the interrogatories or document requests, the response states that the "NRSC" and/or "NRSC personnel" have

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no specific information, documents or recollection. Please confirm that the phrases "NRSC" and "NRSC personnel" as used on the following pages means both current and former personnel, including those individuals identified in Questions 1 and 5: pages 7 (line 3), 8 (lines 8 and 12), 9 (lines 12 and 14), 10 (lines 1 and 3 of response to Question 2f), 12 (lines 11 and 12), and 19 (line 1 of responses to Questions 9b, 9c and 9d). If this is not the case, please identify the persons who are incorporated within the phrases, or supplement the response to include information provided by these individuals.

Similarly, in response to Question 7 (p. 16), you state "[n]either the NRSC nor the relevant individuals have any additional specific information . . ." and that ". . . none of the NRSC personnel can recall any communications . . ." Please confirm that the phrases "relevant individuals" and "the NRSC personnel" as used in this response mean the individuals identified in response to Question 5. If not, identify the individuals encompassed by these phrases.

In addition to these general concerns, please provide the following information:

Question 2c: We note that with regard to the ADF, Jeb Hensarling recalls a 1992 meeting with Red McDaniel and a subsequent meeting(s) with Mike McDaniel. Clarify whether Mr. Hensarling consulted any materials to refresh his recollection in this regard, including datebooks or calendars and, if so, provide copies of the materials. Additionally, please provide a copy of the report ADF supplied to the NRSC which is referenced in the response.

Question 2d: With regard to the purpose of NRSC's payments to CFA, the response states that "research is continuing." Provide any new information obtained since the response was filed.

Question 2e: Your response fails to state the basis upon which the decisions to make the relevant payments were made. Also, the response does not list former NRSC Chairman Senator Philip Gramm among the people involved in deciding whether and in what amount to make payments to the recipient organizations. State the role of the Chairman in the decisions regarding these payments.

Question 2f: We note that no documents were produced in response to this question, and as the response makes no mention of any documents, we assume that no documents exist which evidence, relate to or reference use of the relevant payments. If this is not the case, please produce the requested documents or otherwise respond to the request.

Question 5: A review of the documents produced relating to coordinated party expenditures suggests other responsive documents exist which were not produced. Please review the following, and produce any documents previously overlooked. If any

of these documents are not within NRSC's possession, custody or control, please specifically state so for each such document(s). If you are claiming a privilege with respect to any document, describe the document in sufficient detail to justify the claim and specify in detail all the grounds on which your claim of privilege rests:

- a.. Copies of the backs of all checks produced.
- b. All written authorization(s) or agreement(s) permitting the NRSC to serve as the RNC's agent in making coordinated expenditures in connection with the U.S. Senate elections in Georgia in 1992 (general election and run-off), in Minnesota in 1994; and any additional authorizations or agreements from the RNC in connection with the U.S. Senate election in Pennsylvania in 1994.
- c. The additional coordinated expenditure authorization letter from the Republican State Committee of Pennsylvania referred to in the documents provided (see Document No. 000134).
- d. All invoice(s) from Windsor Marketing Group.
- e. Any and all additional or amended invoices or statements from Brabender Cox relating to coordinated expenditures spent on behalf of Senator Santorum in 1994.
- f. Any and all additional or amended invoices or statements from Optima Direct, Inc. relating to coordinated expenditures spent on behalf of Senator Coverdell in 1992.
- g. Copies of the \$2400 check to U.S. West and the wire transfer bank receipt for the \$163,367.40 coordinated expenditure on behalf of Senator Grams.
- h. all pages of the faxes comprising Document Nos. 000085, 000088, 000122-000123, 000151, 000154, 000162 and 000167.

Additionally, please produce a readable copy of Doc. No. 000084 (wire transfer receipt) and complete copies of Document Nos. 000081, 000105 (check stubs) and 000166 (request for expenditure) as the current photocopies cut off part of the document.

Question 7: As requested, identify the individuals at the campaigns of Paul Coverdell in 1992, Rod Grams in 1994 and Rick Santorum in 1994 with whom the NRSC and its personnel regularly communicated regarding coordinated expenditures. Identify the individuals at the three campaigns with whom the NRSC discussed get-out-the-vote activities.

Additionally, the response states that the NRSC "will endeavor to produce documents responsive to this question." Please provide any such documents located or obtained since your response was filed.

Question 8: The response states that the NRSC's review of this question is continuing. Please supplement your response accordingly.

Question 9: You state that the NRSC "will endeavor to produce documents responsive to this question, if any exist." Please provide any such documents located or obtained since your response was filed or confirm that such documents do not exist.

Question 9a: Your response states that the NRSC had no specific knowledge of NRLC activities "in these two states." However, the question refers to elections in three states. Please clarify what two states your response relates to and answer the question as the third state. Moreover, you state that the NRSC had "a general understanding" of activities the NRLC wished to pursue. As requested, please identify the NRSC officer(s), employee(s), agent(s) or volunteer(s) who had such "general understanding" and explain how they were so informed.

Question 10b: The response states that Senator Gramm, as chairman of the NRSC from 1991-1994, set NRSC's policy on donations made from NRSC's non-federal account to non-partisan, non-profit organizations but does not articulate the policy. Please state the NRSC's policy.

The information requested above will aid us in moving this investigation forward. However, please be aware that the Commission reserves the right both to seek clarification or further responses with respect to material submitted by your clients and does not waive any rights to judicially enforce its subpoena. Should you have any questions, please contact me or Elizabeth Stein at (202) 219-3690. Thank you for your prompt attention to this matter.

Sincerely,



Dawn M. Odrowski
Attorney